

### REMARKS

Applicant recognizes with appreciation that the Examiner has conducted a telephone interview with the representative of the Applicant on April 24, 2008, during which the proposed amendment substantially similar to the current amendment was presented and discussed. The Examiner has indicated that the proposed amendment would overcome the rejection and prior art in the record.

In this proposed Amendment, Applicant amended Claims 1 – 3, 5 and 7 – 8. Claims 1 – 3, 5 and 7 – 8 have been amended to overcome the rejections and further specify the embodiments of the present invention. The support for the amendments to the claims can be found throughout the specification, for example, FIG. 3 and descriptions from page 12, line 19 through page 13, line 2. In addition, the specification has been amended to correct translation errors. It is respectfully submitted that no new matter has been introduced by the amended claims and specification. All claims are now present for examination and favorable reconsideration is respectfully requested in view of the preceding amendments and the following comments.

### REJECTIONS UNDER 35 U.S.C. § 102:

Claims 1 – 8 have been rejected under 35 U.S.C. § 102 (e) as allegedly being anticipated by Demos (US 6,728,317).

Applicant traverses the rejection and respectfully submits that the present-claimed invention is not anticipated by the cited reference. More specifically, Claims 1 – 3, 5 and 7 – 8 have been amended as follows:

(1) The input interlaced moving-picture video signal carries first and second alternate fields.

(2) The progressive moving-picture video signal has scanning lines at the same timing as scanning lines of the first fields of the interlaced moving-picture video signal.

(3) The second fields of the interlaced moving-picture video signal is encoded with inter-picture prediction. The second fields is different in time from frames of the progressive

moving-picture video signal. The second fields has scanning lines half of scanning lines of the progressive moving-picture video signal.

These new definitions are shown in FIG. 3 and discussed in page 12, line 19 to page 13, line 2.

In the disclosure in page 12, the term 'progressive' on lines 26 and 32 is replaced with – interlaced--. Illustrated in (c) of FIG. 3 is the interlaced signal originated from the input interlaced signal and selected by the switch 10, in FIG. 1. This interlaced signal indicated by the solid circles in (c) of FIG. 3 is subjected to inter-picture prediction using the progressive signal indicated by the dot circles in the same figure (page 12, lines 32 to 35), as discussed in page 11, lines 10 to 22.

The replacement is an amendment to erroneous translation, which is understood by any skilled in the art and does not bring new matter.

In addition, Applicant amended Claim 1 to specify “a first *progressive* bitstream” according to the Examiner’s suggestion.

Applicant respectfully submits that one of the differences between the present invention and cited references is the frame rate. In the present invention, the conversion step (Claim 1) is, for example, from 60i (interlaced) to 30p (progressive) *at the same frame rate*, as previous submitted.

On the contrary, the process shown in Figs. 4 and 5 of Demos is that: a 60i (60fps) interlace signal is de-interlaced and converted into a 36p (36 fps) progressive signal and a 72p (72 fps) progressive signal by frame rate conversion, for the base- and enhancement-layer temporal encoding between the 36p and 72p progressive signals.

The 60i (interlaced) and 30p (progressive) in the present invention are the same as with each other at the frame rate whereas 60i, 36p and 72p of Demos are different from one another at the frame rate.

The differences between claims 1, 3, 5, 7 and 8, and Demos (US 6,728,317) are as follows:

The Examiner alleges that Demos (column 7, lines 20 to 30) discloses the step of converting an input interlaced moving-picture video signal into a progressive moving-picture video signal at the same frame rate per second.

In the present invention, an input 60-fps interlaced signal is supplied to the progressive-scanning converter 2 and subjected to scanning-line interpolation, thus a progressive signal having 60 frames per second with scanning lines two times those of the input interlaced signal is produced. This progressive signal is supplied to the switch 3 via which every second frame is decimated, thus a 30-FPS progressive signal having 30 frames per second is produced, at the same frame rate as the input 60-fps (=30 FPS) interlaced signal. See, page 9, line 29 to page 10, line 9.

The conversion step (claim 1) is, for example, from 60i (interlaced) to 30p (progressive) *at the same frame rate* whereas 72 Hz to 60 Hz in TABLE 3 (Demos) in which every other frame of 72 Hz is used as the basis for 36 Hz distribution *at 1/2 rate* according to TABLE 1. Moreover, FIG. 4 (Demos) shows de-interlacer and frame rate conversion of 60 Hz into 36 Hz and 72 Hz. There is no frame rate conversion to the same frame rate in Demos.

Concerning temporal encoding, in the present invention, *the base layer is a progressive moving-picture video signal* whereas *the enhancement layer is an interlaced moving-picture video signal* that carries the second fields (indicated by the solid circles in (c) of FIG. 3) of the input interlaced moving-picture video signal that carries the first and second alternate fields (each indicated by the solid circles in (a) of FIG. 3). The enhancement-layer interlaced video signal is subjected to inter-picture prediction with the base-layer progressive signal (indicated by the dot circles in (c) of FIG. 3).

On the contrary, it is discussed in column 9, lines 19 to 39 in Demos that 36 Hz is for the base layer and 72 Hz for the enhancement layer that is produced by combining two 36 Hz outputs. This means that temporal encoding is performed with *non-interlaced frames* (36 Hz

and 72 Hz) *for the base and enhancement layers*. There is no disclosure or teaching of temporal encoding with a progressive signal for the base layer and an interlaced signal for the enhancement layer.

Demo's column 8, lines 45 to 65 referred to by the Examiner discusses ordinary MPEG-2 coding with no teaching of inter-picture prediction of an enhancement-layer interlaced video signal prediction with a base-layer progressive video signal.

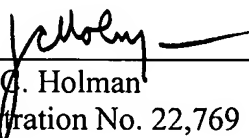
As discussed above, the amended Claims 1, 2, 3, 5, 7 and 8 are not anticipated by Demos under 35 U.S.C. 102(e). Accordingly, withdrawal of the rejection under 35 U.S.C. § 102 (e) is respectfully requested.

Having overcome all outstanding grounds of rejection, the application is now in condition for allowance, and prompt action toward that end is respectfully solicited.

Respectfully submitted,

JACOBSON HOLMAN PLLC

Date: April 28, 2008  
(202) 638-6666  
400 Seventh Street, N.W.  
Washington, D.C. 20004  
Atty. Dkt. No.: P69233US0

By   
John G. Holman  
Registration No. 22,769